

TOWN OF WEST SENECA

APPLICATION FOR REZONING - SPECIAL PERMIT

TO BE COMPLETED BY APPLICANT

DATE 7/24/18

FILE # 2018-09

PROJECT NAME Buffalo Truck Center

PROJECT LOCATION (Include address and distance to nearest intersection)

N. America Drive (Lot 3 N.A.C.) Approx 1150 feet East of Ransier Dr.

APPLICANT Thomas A. Conway

PH/FAX 585-424-4860

ADDRESS 2674 West Henrietta Road, Rochester NY 14623

PROPERTY OWNER Conway Buffalo, LLC

PH/FAX 585-424-4860

ADDRESS 2674 West Henrietta Road, Rochester NY 14623

ENGINEER/ ARCHITECT EnSol Inc.

PH/FAX (716) 285-3920

ADDRESS 661 Main St. Niagara Falls, NY 14301

SBL # 135.09-1.11

PROJECT DESCRIPTION (Include all uses and any required construction)

Truck Sales & Maintenance, Food test kitchen, Construction of a 75,000 ft² building,
16-acre parking lot, stormwater Pond & Retention Basin, Utilities

SIZE OF LOT (acres) 25.4ac

ACREAGE TO BE REZONED N.A.

ADJACENT ROAD NAMES AND AMOUNT OF FRONTAGE ON EACH

N. America Drive Approx. 2,027 LF of frontage

EXISTING ZONING M-1

PROPOSED ZONING M-1

EXISTING USE(S) ON PROPERTY

Open Land

PROPOSED USE(S) ON PROPERTY

Commercial

EXISTING USE(S) AND ZONING ON ALL PROPERTY WITHIN 500 FEET

Commercial/Industrial/office buildings M-1

PUBLIC SEWER YES NO

PUBLIC WATER YES NO

VARIANCES AND OTHER APPROVALS OR PERMITS REQUIRED

Site Plan Approval

APPLICATIONS WILL NOT BE ACCEPTED WITHOUT COMPLETION OF ALL REQUIREMENTS LISTED HEREIN

TO BE COMPLETED BY THE TOWN OF WEST SENECA

DATE RECEIVED

08/20/2018

BY

J. Pelsner

PLANNING BOARD MEETING DATE

TOWN BOARD MEETING DATE

TOWN BOARD RESOLUTION DATE

July 27, 2018

Town of West Seneca Industrial Park Review Committee
c/o Jeffrey Schieber
1250 Union Road, Room 210
West Seneca, New York, 14224

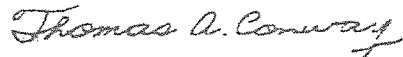
Re: Application Preparation and Submittal Authorization for:
Site Plan Approval Application Review
Buffalo Truck Center North America Drive

Mr. Schieber,

I am the owner of the North America Center Industrial Park Lot #3 (25.4 acre property) located on the south side of North America drive, in the Town of West Seneca. The Site Plan application for this property which is submitted concurrently with this letter has been prepared on my behalf by EnSol Inc., of Niagara Falls, NY with my authorization. Upon Site Plan approvals the facility will be operated in accordance with the application materials and subsequent Town of West Seneca approvals.

Please let me know if you have any additional questions or concerns. I can be reached at 585-424-4860.

Sincerely,
Buffalo Truck Center



Thomas A. Conway, Chairman of the Board

CC: Brian D. Shiah, P.E – EnSol, Inc.

**BARGAIN AND SALE DEED
WITH COVENANT AGAINST GRANTOR'S ACTS**

THIS INDENTURE, made the 11th day of January, 2018,

BETWEEN

WEST SENECA JOINT VENTURE, a joint venture organized under the laws of the State of New York, with offices at 129 South Union Street, Suite , Spencerport, NY 14559
Grantor

CONWAY BUFFALO, LLC, a New York limited liability company, with offices at 2674 West Henrietta Road, Rochester, New York 14623
Grantee

WITNESSETH, that the Grantor, in consideration of one dollar (\$1.00), and other good and valuable consideration paid by the Grantee, hereby grants and releases unto the Grantee, the heirs or successors and assigns of the Grantee forever,

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of West Seneca, County of Erie, State of New York, and being part of Lots 209, 214 and 217 of the Ebenezer Lands Township 10, Range 7 of the Holland Purchase as shown on a map filed in the Erie County Clerk's Office under Cover No. 58, as more particularly bounded and described in Schedule "A" attached hereto and made a part hereof.

Being and intending to describe a portion of the premises conveyed to Grantor by North America Center Joint Venture by Deed recorded in the Erie County Clerk's Office on November 16, 2007 in Liber 11137 of Deeds, page 3753.

Tax Account Number: Part of 135.01-4-61.111

Tax Mailing Address: _____

TOGETHER with all right, title and interest, if any, of the Grantor in and to any streets and roads abutting the above described premises to the center lines thereof.

TOGETHER with the appurtenances and all the estate and rights of the Grantor in and to said premises.

TO HAVE AND TO HOLD the premises herein granted unto the Grantee, the heirs or successors and assigns of the Grantee forever.

This deed is subject to the trust provisions of Section 13 of the Lien Law.

AND the said Grantor covenants that it has not done or suffered anything whereby the said premises have been encumbered in any way whatever.

The words "Grantor" and "Grantee" shall be construed to read in the plural whenever the sense of this deed so requires.

IN WITNESS WHEREOF, the Grantor has executed this deed the day and year first above written.

WEST SENECA JOINT VENTURE

By: ALLIED 5 WS, LLC, Partner
By: Allied Buffalo, Inc., Member

By: Richard R. George
Richard R. George, President

By: NANCO II, LLC, Partner
By: Nanco Enterprises, Inc., Member

By: Paul Nanula
Paul Nanula

STATE OF NEW YORK)
COUNTY OF MONROE)

On the 10th day of January in the year 2018 before me, the undersigned, a Notary Public in and for said State, personally appeared **Richard R. George**, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

Patrick S. Laber
Notary Public

PATRICK S. LABER
Notary Public - State of New York
No. 01LA6214406
Qualified in Monroe County
My Commission Expires: December 7, 2021

STATE OF NEW YORK)
COUNTY OF ERIE) ss.:

On the 11th day of January, in the year 2018, before me, the undersigned, a Notary Public in and for said State, personally appeared **PAUL NANULA**, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

MICHELLE LYNN WARD
Notary Public - State of New York
NO. 01WA6275111
Qualified in Niagara County
My Commission Expires 1/14/2021

Michelle Lynn Ward
Notary Public

SCHEDULE A

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of West Seneca, County of Erie, State of New York, and being part of Lots 209, 214 and 217 of the Ebenezer Lands, so-called, as shown on map filed in the Erie County Clerk's Office under Cover No. 58, bounded and described as follows:

Beginning at a point on the south line of North America Drive (60.0 feet wide as conveyed to the Town of West Seneca by deed recorded in the Erie County Clerk's Office in Liber 10603 of Deeds at page 380) at the northwest corner of lands conveyed to J&M Distributing Co., Inc. by deed recorded in the Erie County Clerk's Office in Liber 11260 of Deeds at page 3743; running thence S 00° 47' 56" W, along the west line of said J&M Distributing Co., Inc. lands, a distance of 742.69 feet to a point on the north line of lands conveyed the Erie County Industrial Development Agency by deed recorded in the Erie County Clerk's Office in Liber 10951 of Deeds at page 8453; running thence N 89° 10' 54" W, along the north line of said lastly referred to Erie County Industrial Development Agency lands, a distance of 1108.98 feet to a point on an easterly line of lands conveyed to the Town of West Seneca by deed recorded in the Erie County Clerk's Office in Liber 11070 of Deeds at page 9952; running thence N 00° 53' 18" E, along an easterly line of said lastly referred to Town of West Seneca lands, a distance of 109.32 feet to a northerly line thereof; running thence N 88° 17' 02" W, along a northerly line of said lastly referred to Town of West Seneca lands, a distance of 620.00 feet to an easterly line thereof; running thence N 25° 13' 15" W, along an easterly line of said lastly referred to Town of West Seneca lands, a distance of 87.26 feet to a point on the south line of North America Drive; running thence the following four courses and distances along the south line of North America Drive: (1) along a curve to the left having a radius of 380.0 feet, 217.40 feet to a point of tangency; (2) N 31° 59' 58" E, 334.56 feet to a point of curvature; (3) along a curve to the right having a radius of 236.21 feet, 242.41 feet to a point of tangency; (4) S 89° 12' 04" E, 1233.32 feet to the point or place of beginning.